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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/619,461

07/16/2003

Furetsu Kasuya

2003_0953A

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12/22/2006

WENDEROTH, LIND & PONACK, L.L.P.

2033 K STREET N. W.

SUITE 800

WASHINGTON, DC 20006-1021

EXAMINER

YAN, REN LUO

ART UNIT

PAPER NUMBER

2854

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/22/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/619,461

Applicant(s)

KASUYA, FURETSU

Examiner

Ren L. Yan

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) 2,6 and 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :10/29/03,10/28/04,8/2/06,11/14/06.

DETAILED ACTION

Applicant's election without traverse of invention I, claims 1, 2 and 4-7 in the reply filed on 10-6-2006 is acknowledged. Claims 2, 4 and 5 have been amended to depend from claim 1 and new claims 6 and 7 have been added to depend from claim 2. Applicant's request for consideration of claims 2 and 4-7 along with claim 1 due to their direct or indirect dependency from claim 1 has been considered. A careful review of the disclosure and all pending claims 1, 2 and 4-7 by the Examiner indicates that claims 2, 6 and 7 are directed to an invention other than the elected invention I for the following reasons: invention I, with corresponding claim 1, is directed to a screen frame structure as shown in Figs. 6 and 7 including four straight screen frame members each having insertion apertures provided in both ends and four L-shaped frame corner members 14 each being inserted into the corresponding insertion apertures to form a screen frame. Male and female threads are provided in the straight screen frame members and L-shaped frame corner members to allow adjustment of the members relative to each other so as to tension the screen mounted thereon. Claim 2, along with its dependent claims 6 and 7 are directed to a screen frame structure as shown in Figs. 8-10 including four straight screen frame members 36 forming a screen frame and multiple thread apertures 39 provided on the side surface of the screen frame members to work with tension adjusting screws 46 so as to tension the screen mounted thereon. Accordingly, based on the present disclosure, claims 1 and 2 are directed to two distinct and mutually exclusive inventions. Since applicant has elected invention I which is directed to a structure as shown in Figs. 6 and 7 as discussed above, only claims 1,

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along with amended 4 and 5 are covered by this invention. Accordingly, claims 2, 6 and 7 directed to the non-elected invention have been withdrawn from further consideration.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Device and method for tensioning a screen on a screen printing frame.

Claims 1, 4 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Additionally, the claims recite too many alternatives by repeatedly using the word "or" such that it is difficult to ascertain exactly what structure is being claimed. Accordingly, the Examiner takes the position that whenever there are alternatives recited in the claims, only one of the alternatives would be evaluated against known prior art.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kline(6,427,588).

With respect to claim 1, Kline teaches a screen printing frame of variable length to which a screen is attached including screen frame members 14 each having open ends, 4 L-shaped corner members 16 for loosely fitting into the open ends of the screen frame members 14, screen hooking tools 28 adhered to the screen 12 and detachably fitted into the slots 24 on the screen frame members 14, screen frame length extensible means 32 having female threads disposed at each end of the screen frame member 14, and male threads 34 provided for mating with the male thread receivers for adjusting the effectively length of the screen frame members to tension the screen 12 mounted thereon. See Figs. 1-4 in Kline for details.

With respect to claim 4, Kline teaches the use of the disclosed screen frame structure by providing hooking portions 24 in the screen frame member 14 as shown in Fig. 2, hooking the screen hooking tools 28 of the screen into the hooking portions, and adjust the length of each side of the screen frame with the use of the screen frame adjusting means (male and female threads) to give a tension on the screen suited for printing. See also column 4, line 5 through column 5, line 4 in Kline for details.

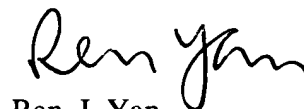
With respect to claim 5, Kline teaches that the screen frame is variable in the length of its sides comprising assembling the four L-shaped corner members and four straight frame members by inserting the L-shaped corner members into the insertion apertures provided in both ends of the straight frame members to form a screen frame construction provided with screen frame side length extensible means(male and female threads). It is noted that only the first alternative in claim 5 is directed to the elected invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
Dec. 13, 2006